



#3

## PATENT

We hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on February 8, 2002.

By Thomas H. Majcher  
Thomas H. Majcher, Reg. No. 31,119

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re the application of )  
William J. Boyle, et al. ) Examiner: Unassigned  
Serial No. 10/027,915 ) Group Art Unit: 3739  
Filed: December 21, 2001 ) Docket No. ACS-57406  
For: FLEXIBLE AND CONFORMABLE )  
EMBOLIC FILTERING DEVICES )

February 8, 2002  
Los Angeles, California

SUBMISSION OF MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is a copy of Notice to File Missing Parts of Nonprovisional Application dated January 28, 2002 (Confirmation No. 9956), for which a response

is due on or before March 28, 2002, along with a Declaration and Power of Attorney, in response thereto.

A check for \$1,842.00 is enclosed. No additional fees are believed to be due with this paper. The Commissioner is authorized, however, to charge any deficiencies in fees or credit any overpayments to our Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



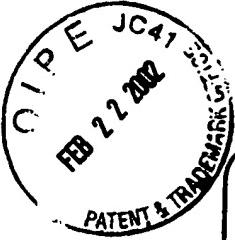
\_\_\_\_\_  
Thomas H. Majcher, Registration No. 31,119

THM:mem

Enclosures:

Notice to File Missing Parts of Nonprovisional Application  
Declaration and Power of Attorney (3 originals, 4 pages each)  
Check for \$1,842.00  
Return Postcard

Howard Hughes Center  
6060 Center Drive, 10<sup>th</sup> Floor  
Los Angeles, California 90045  
Tel. No.: (310) 824-5555  
Fax No.: (310) 824-9696  
USPTO Customer Number 24201



Please type a plus sign (+) inside this box →

Approved for use through 9/30/00. OMB 0651-0031  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Sector A

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

COPY OF PAPERS  
ORIGINALLY FILED

Total Number of Pages In This Submission

Application Number  
10/027,915

Filing Date  
December 21, 2001

First Named Inventor  
William J. Boyle

Group Art Unit  
3739

Examiner Name  
Unassigned

Attorney Docket Number  
ACS- 57406

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Alter Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement PTO/SB/08A	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	Return Postcard
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Enclosed: Notice to File Missing Parts of Nonprovisional Application; Declaration and Power of Attorney (3 originals, 4 pages each)	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas H. Majcher, Registration No. 31,119
Signature	
Date	February 8, 2002

### CERTIFICATE OF MAILING

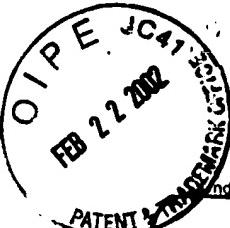
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 2-8-2002

Typed or printed name | Thomas H. Majcher

Signature |

Date | 2-8-2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**COPY OF PAPERS  
ORIGINALLY FILED**

PTO/SB/17 (09-00)

Approved for use through 10/31/2002, OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **FEE TRANSMITTAL for FY 2001**

*Patent fees are subject to annual revision.*

<b>TOTAL AMOUNT OF PAYMENT</b>	(\$ 1,842.00)
--------------------------------	---------------

**Complete if Known**

Application Number	10/027,915
Filing Date	December 21, 2001
First Named Inventor	William J. Boyle
Examiner Name	Unassigned
Group Art Unit	3739
Attorney Docket No.	ACS-57406

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **06-2425**

Deposit Account Name **Fulwider Patton**

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	<b>740</b>
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>		<b>740</b>	

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
59	.20** = 39	x 18	<b>702</b>
6	.3*** = 3	x 84	<b>252</b>
Multiple Dependent			

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>954</b>

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	<b>130</b>
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

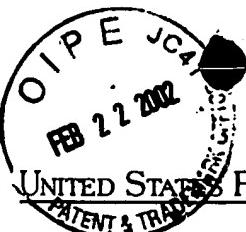
**130**

**SUBMITTED BY**

Name (Print/Type)	Thomas H. Majcher	Registration No. (Attorney/Agent)	31,119	Telephone	310-824-5555
Signature	<i>Thomas H. Majcher</i>			Date	2-8-2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231



UNITED STATES PATENT AND TRADEMARK OFFICE

**COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)**

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,915	12/21/2001	William J. Boyle	ACS-57406

24201  
FULWIDER PATTON LEE & UTECHT, LLP  
HOWARD HUGHES CENTER  
6060 CENTER DRIVE  
TENTH FLOOR  
LOS ANGELES, CA 90045

**COPY OF PAPERS  
ORIGINALLY FILED**

**CONFIRMATION NO. 9956**

## **FORMALITIES LETTER**



\*OC00000007378151\*

Date Mailed: 01/28/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

12-2975003 225504A, 100000387 10137715

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
  - Total additional claim fee(s) for this application is \$954.
    - \$702 for 39 total claims over 20.
    - \$252 for 3 independent claims over 3 .
  - The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
  - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  - **The balance due by applicant is \$ 1824.**

*A copy of this notice **MUST** be returned with the reply.*

## c. Vorachaiade

---

**Customer Service Center**

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE